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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-489*

13 **ROBIN ELIZABETH BUZZELL,**
14 **AKA ROBIN ELIZABETH HILL,**
AKA ROBIN E. HILL CASSERES,
15 **AKA ROBIN ELIZABETH CASSERES**
510 Middle Road
16 Woolwich, Maine 04579

A C C U S A T I O N

17 Registered Nurse License No. 592556

18 Respondent.

19
20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
23 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
24 Consumer Affairs.

25 2. On or about December 24, 2001, the Board of Registered Nursing issued
26 Registered Nurse License Number 592556 to Robin Elizabeth Buzzell, also known as Robin
27 Elizabeth Hill, Robin E. Hill Casseres, and Robin Elizabeth Casseres (Respondent). The
28 Registered Nurse License expired on December 31, 2011, and has not been renewed.

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

6. Section 2761 of the Code states:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

....

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

....

COST RECOVERY

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

1 **CAUSE FOR DISCIPLINE**

2 **(Out Of State Discipline)**

3 8. Respondent has subjected her license to disciplinary action under Code section
4 2761, subdivision (a)(4), in that she has had a professional license disciplined in another state.
5 The circumstances are that her Maine registered nurse license has been disciplined in a
6 disciplinary action entitled *In Re: Robin Hill Buzzell, RN Of Woolwich, Maine License*
7 *#RN48006*. The State of Maine Board of Nursing (Maine Board) issued a Consent Agreement for
8 License Probation With Conditions Case No. 2009-121 dated February 29, 2012 (Agreement),
9 based upon the Board Notice of Complaint dated April 6, 2009 regarding Respondent's February
10 2009 conviction for Driving to Endanger, her response received May 22, 2009, and
11 supplemental treatment provider information received February 12, 2010.

12 9. Based on the evidence before it, the Maine Board made the following Findings of
13 Fact:

14 a. Respondent has been a registered professional nurse licensed to practice
15 in Maine since October 22, 2002.

16 b. Respondent was arrested on August 29, 2007 for Operating Under the
17 Influence, Possession of a Usable Amount of Marijuana, Sale/Use of Drug Paraphernalia, and
18 Operating Beyond License Restrictions. In Respondent's possession were a bag of marijuana
19 and pipe, prescription for Catapres TIS Patch, generic Percocet, empty prescription bottles of
20 Oxycodone HCL 5mg and Oxycontin, and two newly filled prescriptions of Oxycontin.

21 c. Respondent admitted to the arresting officer that she had consumed two
22 beers and was taking Oxycodone, Klonadine, and Lexapro. Respondent stated she was not
23 drunk and the medications she was taking were prescribed for her following spinal surgery in
24 January 2007. Respondent could not remember if she had smoked marijuana that day.
25 Respondent's toxicological specimen tested positive for Cannabinoids, Oxycodone, and
26 Citalopram.

27 d. Respondent pled guilty to Driving to Endanger on February 25, 2009,
28 received a \$500 fine, and a 90-day driver's license suspension.

1 e. In January 2008, Respondent completed an assessment for chemical
2 dependency and was accepted into an Intensive Outpatient Program for medication assisted
3 treatment.

4 f. Respondent wished to resolve the matter by accepting the Agreement
5 and thereby waived her right to an adjudicatory hearing.

6 10. Based on the evidence before it, the Maine Board made the following
7 Conclusions of Law:

8 a. The Maine Board has jurisdiction over Respondent and over the subject
9 matter of the proceeding pursuant to Title 32 of the Maine Revised Statutes (MRS) section 2105-
10 A, subdivision (1-A)(B) and Title 10 MRS section 8003, subdivision (5)(B).

11 b. Respondent subjected her license to disciplinary action under title 32 MRS
12 section 2105-A, subdivision (2)(F) in that she engaged in unprofessional conduct that violated a
13 standard of professional behavior that has been established in the practice for which she was
14 licensed.

15 c. Respondent subjected her license to disciplinary action under title 32 MRS
16 section 2105-A, subdivision (2)(G) in that she was convicted of a crime that relates directly to
17 the practice for which she was licensed.

18 d. Respondent subjected her license to disciplinary action under title 32
19 MRS section 2105-A, subdivision (2)(H) in that she violated MRS chapter 31 governing nurses
20 and nursing.

21 e. The Agreement is applicable to Respondent's multi-state licensure
22 privilege, if any, to practice nursing in states that are parties to the Nurse Licensure Compact
23 (Compact).

24 f. Respondent may not work outside the State of Maine pursuant to a multi-
25 state licensure privilege without the written permission of the Maine State Board of Nursing and
26 the Board of Nursing in the Compact party state(s) in which she wishes to work.

27 g. The Agreement is not subject to review or appeal by Respondent, but may
28 be enforced by an action in the Superior Court.

1 **PRAYER**

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 592556, issued to
5 Robin Elizabeth Buzzell;

6 2. Ordering Robin Elizabeth Buzzell to pay the Board of Registered Nursing the
7 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
8 Professions Code section 125.3;

9 3. Taking such other and further action as deemed necessary and proper.
10
11
12

13 DATED: December 13, 2012 *Stacie Ben*
14 for LOUISE R. BAILEY, M.ED., RN
15 Executive Officer
16 Board of Registered Nursing
17 Department of Consumer Affairs
18 State of California
19 Complainant
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